

Bury Metropolitan Borough Council
Town Hall
Knowsley Street
Bury
Lancashire
BL9 0SW

Our ref: SO/2022/121896/03-L01
Your ref: 67965
Date: 14 June 2022

Dear Sir/Madam

UPDATED FRA RESIDENTIAL DEVELOPMENT OF 27 NO. HOUSES AND APARTMENTS WITH CAR PARKING, LANDSCAPED AREAS AND ASSOCIATED WORKS. EAST LANCS PAPER SITE, LAND BETWEEN COCKCLOD STREET/CUNLIFFE STREET/HOWARD STREET/POLLITT STREET, RADCLIFFE, MANCHESTER, M26 9PG

Thank you for referring further details to the Environment Agency to address our previous objection.

We have reviewed the submitted revised FRA, which now meets with our approval. We are now therefore able to remove our objection, and we would wish to make the following comments.

Environment Agency Position

Flood Risk

The proposed development will be acceptable if a planning condition is included requiring the following restrictions to permitted development.

Condition

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 or any order revoking and re-enacting that order with or without modification, no structure shall be erected within the rear gardens of plots 1-7 Baybutt Street as delineated in appendix J of the FRA (20-B-12866/ELPM/revA dated March 2022.

Environment Agency
Richard Fairclough House Knutsford Road, Warrington, WA4 1HT.
Customer services line: 03708 506 506
www.gov.uk/environment-agency

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Reason

Erection of sheds or fencing within the flood zone could affect flood storage / flow routes and increase flood risk elsewhere.

Environmental permit - advice to applicant

The Environmental Permitting (England and Wales) Regulations 2016 require a permit to be obtained for any activities which will take place:

- on or within 8 metres of a main river (16 metres if tidal)
- on or within 8 metres of a flood defence structure or culverted main river (16 metres if tidal)
- on or within 16 metres of a sea defence
- involving quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert
- in a floodplain more than 8 metres from the river bank, culvert or flood defence structure (16 metres if it's a tidal main river) and you don't already have planning permission

For further guidance please visit <https://www.gov.uk/guidance/flood-risk-activities-environmental-permits> or contact our National Customer Contact Centre on 03708 506 506. The applicant should not assume that a permit will automatically be forthcoming once planning permission has been granted, and we advise them to consult with us at the earliest opportunity.

Biodiversity

The submitted ecological assessment (ERAP, Dec 2021) has identified schedule 9 invasive non-native species within red line boundary, we would recommend following condition be included for development scheme.

The proposed development will be acceptable if a planning condition is included requiring a method statement to be agreed to put appropriate control measures in place regarding the invasive species Japanese knotweed and Wall cotoneaster present.

Condition

No development shall take place until a detailed method statement for removing or the long-term management / control of Japanese knotweed and Wall cotoneaster identified on the site (ERAP, Dec 2021) shall be submitted to and approved in writing by the local planning authority. The method statement shall include proposed measures that will be used to prevent the spread of Japanese knotweed and Wall cotoneaster during any operations e.g., mowing, strimming, bank regrading or soil movement. It shall also contain measures to ensure that any soils brought to the site are free of the seeds / root / stem of any invasive plant covered under the Wildlife and Countryside Act 1981, as amended. Development shall proceed in accordance with the approved method statement.

Reasons

To prevent the spread of Japanese knotweed and Wall cotoneaster, which are invasive species. Without it, avoidable damage could be caused to the nature conservation value of the site contrary to national planning policy as set out in the National Planning Policy

Framework paragraph 170, where planning decisions should contribute to and enhance the natural and local environment & 174, plans should promote the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species; and identify and pursue opportunities for securing measurable net gains for biodiversity

It is also noted as part of site surface water drainage strategy 21-B-12866-200 Rev. A (5/11/21) that a new surface water connection is proposed to be connected to the currently culverted Crow Trees Farm Brook main river and environmental receptor, which will likely require permit from the Environment Agency. Further advice and guidance can be obtained from GOV.UK website (www.gov.uk/guidance/discharges-to-surface-water-and-groundwater-environmental-permits#apply-for-a-bespoke-permit).

Environment Management

Advice to the applicant

Surface water discharge

The flow rate of the discharge should not increase the levels of suspended solids to the extent that the watercourse is disturbed. There should be no water treatment chemicals in the discharge. Any discharge should not cause or significantly contribute to flooding in the downstream catchment. Please ensure adequate hard standing for any car park areas to limit potential for pollution from fuel and oil etc.

You may need to install an oil separator (interceptor) or other device to remove oil from water that drains off hard surfaces. Typically, a separator is needed for any site with a risk of oil contamination, such as car parks larger than 800m² or for 50 or more parking spaces.

During construction, for dewatering purposes water should be discharged to the foul sewer where possible. Permission from the local sewerage company will be required. An abstraction licence is not required to dewater or pump out water that has gathered because of an excavation if the water to be disposed of is solely to prevent interference to building operations and practices. If they intend to use the water for another purpose on site, such as pressure testing or dust suppression, an abstraction licence may be required. Please be advised if any other discharges are going to be undertaken to water, then a permit may be required.

Appropriate control measures need to be followed to ensure no pollution or harm to fish, or wildlife is caused.

Contaminated Land

The proposed development site appears to have been the subject of past industrial activity which poses a risk of pollution to controlled waters.

We have not undertaken a detailed review of the risk posed to controlled waters from land contamination and would therefore advise that you refer to our published [Guiding Principles for Land Contamination](#) which outlines the approach we would wish to see adopted to managing risks to the water environment from this site.

We also recommend that you consult with your Environmental Health / Environmental Protection Department for further advice on generic aspects of land contamination management. Where planning controls are considered necessary, we would recommend that you seek to integrate any requirements for human health protection with those for protection of the water environment. This approach is supported by Paragraph 109 of the National Planning Policy Framework.

Please forward a copy of this letter to the applicant.

Yours faithfully

Mrs. SYLVIA WHITTINGHAM
Planning Advisor

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